



#8

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Inventor(s) : Ronald Dean Smith, et al.
Filed : 2/27/2002
Serial No. : 10/085,854
Confirmation No. : 1691
Group Art Unit : 2859
Examiner : G. Bradley Bennett
Docket Number : RDS-001
Title : Slope Master

Mail Stop Petitions
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313 -1450

CERTIFICATE OF MAILING / FAX TRANSMISSION

I hereby certify that this correspondence is, on the date shown below, being:

deposited with the U.S. Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313.

transmitted by facsimile to the U.S. Patent and Trademark Office to Examiner: _____

at Fax Number: _____

JERRY A. MILLER Reg. No. 30,779
(Applicant, Assignee or Reg. Representative)

Signature

Date

**PETITION TO REVIVE AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b)**

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the U.S. Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

01/15/2004 AWONDAF2 00000004 10085854

01 FC:2453

665.00 OP

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CANCELLLED 1/16/2004

OFFICE OF PETITIONS

Note: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal Disclaimer with disclaimer fee for all utility and plant patents filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

Enclosed herewith please find:

1. Petition fee

Small Entity fee of \$ 665. Applicant claims small entity status.
 Other than Small Entity fee of \$_____.

2. Reply and/or fee

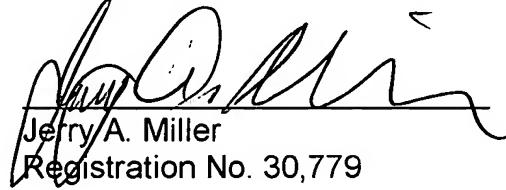
The reply and/or fee to the Office Action dated 12/23/2002
 is enclosed herewith.
 was previously filed on _____.
 The issue fee of \$_____
 was paid previously on _____.
 is enclosed herewith.

3. Terminal disclaimer and disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
 A terminal disclaimer and disclaimer fee of \$_____ is enclosed herewith.

4. Statement: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional.
5. Additional information regarding the circumstances of this delay: The present application was originally prepared and filed pro-se. The applicants did not understand the office action, did not realize the application was abandoned and recently sought the assistance of the undersigned in prosecution of the present application.

Respectfully submitted,



Jerry A. Miller
Registration No. 30,779

Dated: 1/12/04

Please Send Correspondence to:

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